

JD
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

TRITON CONTAINER INTERNATIONAL
LIMITED,

Plaintiff,

v.

m/v SOLENT STAR, m/v SOUTHAMPTON
STAR, their engines, tackle, apparel,
appurtenances, etc., and CERTAIN OCEAN
CARGO CONTAINERS, *in rem*,
C.I. BANACOL S.A. also known as,
COMMERCIALIZADORA
INTERNACIONAL BANACOL DE
COLOMBIA S.A., *in personam*,

Defendants.

CASE NO. 14-CV-000667-001

ORDER FOR ARREST OF CARGO
CONTAINERS AND ORDER FOR
APPOINTMENT OF SUBSTITUTE
CUSTODIAN

FILED

JAN 30 2014

MICHAEL E. KUNZ, Clerk
By: [Signature] Dep. Clerk

Plaintiff, by and through its attorneys, REEVES McEWING LLP, appeared on January 30, 2014 and filed a Verified Complaint praying that process issue against certain empty vessel cargo containers, *in rem*, that are presently located on Penn Terminals pier and have the name Triton on them and in due course be turned over to Plaintiff's custody, and for other appropriate relief. Pursuant to the filing of that Verified Complaint, and the Affidavit of Plaintiff, the Clerk of the Court shall be ordered forthwith to issue a warrant of arrest of said containers commanding the United States Marshal for this District to arrest and upon seizure to surrender possession thereof to Penn Terminals as substitute custodian.

The containers are presently lying at Penn Terminal, Inc. in Eddystone, PA which has agreed to assume responsibility for the safekeeping of said containers, and has consented to act as custodian.

Plaintiff agrees to release the United States Marshal from any and all liability and responsibility for the care and custody of the containers from the time of arrest of said containers and hereby agrees to hold him harmless from any and all claims whatsoever arising out of said custody.

Therefore it is hereby ORDERED that the Clerk of the Court issue a warrant for the arrest of the cargo containers and shall deliver said warrants to the United States Marshal for the District, who is hereby

authorized and directed forthwith to seize said containers pursuant to said warrant for the arrest, and upon seizure to surrender possession thereof to Penn Terminals, and that upon such surrender, the Marshal shall be discharged from his duties and responsibilities for the safekeeping of the said containers.

IT IS FURTHER ORDERED that Penn Terminals be, and hereby is appointed substitute custodian of said containers.

IT IS FURTHER ORDERED that the containers may be released upon application of the Plaintiff

~~without further Order of the Court~~

1/30/14 JED only upon order of the Court following a hearing with notice to all persons or entities claiming ownership of the containers.

BY THE COURT:

Jan E. DuBek
1/30/14 3:05 P.M.

ENTERED
JAN 30 2014
CLERK OF COURT